

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CARMELO RIVERA
Plaintiff,

v.

JO ANNE B. BARNHART,
Commissioner of Social Security,
Defendant

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CIVIL ACTION

No. 06-1084

ORDER

AND NOW, this 21st day of September, 2006, upon careful consideration of the Report and Recommendation filed by United States Magistrate Judge Peter B. Scuderi, and upon independent review of the Motions for Summary Judgement filed by the parties, it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. Objections are overruled.
3. Plaintiff's Motion for Summary Judgment is DENIED
4. Defendant's Motion for Summary Judgment is GRANTED.
5. The decision of the Commissioner which denied Supplemental Security Income and Disability Insurance Benefits is AFFIRMED.

BY THE COURT:

/s/ Edmund V. Ludwig
EDMUND V. LUDWIG, J.